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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

11 SAN FRANCISCO TECHNOLOGY, INC.,) No. C 10-966 JF
12 Plaintiff,)
13 v.)
14 THE GLAD PRODUCTS COMPANY,)
15 Defendant.)
16 _____)
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STIPULATION AND {PROPOSED}
ORDER EXTENDING TIME FOR THE
UNITED STATES TO INTERVENE
Hon. Jeremy Fogel

17 The parties, along with the United States of America, stipulate to the following request
18 made by counsel for the United States of America to obtain an additional 30 days in which to
19 intervene to defend the constitutionality of 35 U.S.C. § 292 in this case. Federal Rule of Civil
20 Procedure 5.1(c) gives the Court the power to grant this additional time as it states, in relevant
21 part, “[u]nless the court sets a later time, the attorney general may intervene within 60 days after
22 the notice is filed or after the court certifies the challenge, whichever is earlier.” The current
23 deadline for moving to intervene is February 14, 2011, and counsel for the United States needs
24 the requested additional time in order to obtain the necessary approval from the Solicitor
25 General’s office to intervene in this action. Counsel for Plaintiff and Defendant have agreed that
26 this limited extension of time is acceptable.

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///w Text

Dated: February 3, 2011

Respectfully submitted,
MELINDA HAAG
United States Attorney

/s/ Michael T. Pyle
MICHAEL T. PYLE
Assistant United States Attorney
Attorney for United States of America

Dated: February 3, 2011

MOUNT, SPELMAN & FINGERMAN, P.C.

Dated: February 3, 2011

FARELLA BRAUN MARTEL

/s/ Roderick Manley Thompson
Counsel for The Glad Products Company

PURSUANT TO STIPULATION, IT IS SO ORDERED:

The Court, having considered the stipulation of the parties and the United States, orders that the United States shall have until March 16, 2011 to file a motion to intervene in this case to defend the constitutionality of 35 U.S.C. § 292 in this case.

DATED: February 4, 2011

his case.

HONORABLE JEREMY FOGEL
U.S. DISTRICT COURT JUDGE